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February 15, 2021

**By ECF and E-mail**

The Honorable Richard M. Berman  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

**Re: *United States v. Richard Gaffey*, 18-cr-693 (RMB)**

Dear Judge Berman:

We write to advise the Court that another FMC Devens prisoner, previously deemed “recovered” from COVID-19, has now died. *See* attached BOP press release (Feb. 11, 2021). Like Mr. Gaffey, the deceased prisoner (although more than a decade younger), had “long-term, pre-existing medical conditions which the CDC lists as risk factors for developing more severe COVID-19 disease.” *Id.* This event, along with other post-“recovery” deaths noted in Mr. Gaffey’s earlier filings, highlights the substantial ongoing risk to “recovered” prisoners and the limitations of BOP’s ability to monitor and care for them effectively in a carceral setting.

Respectfully submitted,

**RICHARD GAFFEY**

by his attorneys,

/s/ Daniel Marx

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**U.S. Department of Justice  
Federal Bureau of Prisons**

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**FOR IMMEDIATE RELEASE**

February 11, 2021

Contact: Office of Public Affairs

202-514-6551

**Inmate Death at FMC Devens**

WASHINGTON, D.C.: On Saturday, December 26, 2020, inmate Girard Lafortune tested positive for COVID-19 at the Federal Medical Center (FMC) Devens in Ayer, Massachusetts, and was immediately placed in medical isolation. On Monday, January 18, 2021, in accordance with Centers for Disease Control and Prevention (CDC) guidelines, Mr. Lafortune was converted to a status of recovered following the completion of medical isolation and presenting with no symptoms. On Wednesday, February 10, 2021, Mr. Lafortune, who had long-term, pre-existing medical conditions which the CDC lists as risk factors for developing more severe COVID-19 disease, was pronounced deceased.

Mr. Lafortune was a 63-year-old male who was sentenced in the District of Massachusetts to a 420-month sentence for Transportation & Attempted Transportation of Child Pornography, Receipt of Child Pornography, Possession of Child Pornography, and Publishing Notice or Advertisement for Child Pornography. He had been in custody at FMC Devens since May 7, 2015.

FMC Devens is an administrative security facility that currently houses 718 male offenders.

The Bureau of Prisons will continue to provide daily updates and information on actions related to COVID-19 at [www.bop.gov/coronavirus/index.jsp](http://www.bop.gov/coronavirus/index.jsp).

Additional information about the Bureau of Prisons can be found at [www.bop.gov](http://www.bop.gov).

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